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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/516,973	02/29/2000	Jaakko Rautiainen	602.314USW1	1751

32294 7590 05/18/2004

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EXAMINER

ZEWDU, MELESS NMN

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 05/18/2004

19

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/516,973

Applicant(s)

RAUTIAINEN, JAAKKO

Examiner

Meless N Zewdu

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 8-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment (RCE)

1. This action is in response to the communication filed on 4/23/04.
2. Claims 6 and 7 have been cancelled (see paper No. 14).
3. Claims 1-5 and 8-10 are pending in this action.

Specification

The disclosure is objected to because of the following informalities: on page 7, line 10, the reading, "the dial tone goes out as soon as the first digit has been dialed" appears to be incorrect. It need to be reading ---the dial tone goes out as soon as the last digit has been dialed. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The features "at the beginning of" and "after ring-back tone" do

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not have support in the disclosure. The disclosure provides a call set up/checking functions "during a voice mode".

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admitted prior art (APA) in view of Ho et al. (US 6,314,292).

As per claim 1: a procedure for setting up a call in a wireless local loop based on mobile communication technology and in which subscriber terminal units are connected via a radio link to an access node and from the access node to a wired network local exchange and in which checking functions are carried out reads on 'APA (see page 1, line 6-page 2, line 31, particularly page 1, line 23-page 2, line 24; page). Furthermore, the APA discloses the current claims are consistent to the various communication standards for terminal authentication. In other words, the preexisting and defined authentication standards have been

used (see page 3, line 19-page 4, line 7). The difference between the APA and the claims, particularly claim, is that in the claims, checking authentication functions are carried out to accelerate call setup and wherein the checking of functions is carried out after voice mode has been set, as claimed by applicant. Stated differently, the acceleration of the call setup is a function of the checking procedure. However, in a related field of endeavor, Ho teaches that as soon as a service request message is received from a mobile station, the system determines the type of service sought by the mobile station and if the initial channel assignment is found to be inappropriate to the type of service requested, channels switching is performed at this time and the remainder of the call setup process is then completed at the speed to be sued by the **mobile** station for the actual communication (see col. 3, lines 8-25). The full rate channel could be data channel or voice channel.

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the wireless local loop system admitted by applicant (APA) with the teaching of Ho for the advantage of providing fast call setup time for voice and user generated delay sensitive data (see col. 3, lines 17-21).

As per claim 2: the procedure, wherein said checking functions comprise:

- changing a subscriber identity code reads on APA (see page 2, lines 7-10).

- verification of authenticity of a subscriber reads on APA (see page 2, lines 10-13).

- verification of a subscriber's equipment identity code reads on APA (see page 2, lines 13-18).

As per claim 3: the procedure, wherein changing the subscriber identity code is via an allocation of a temporary subscriber identity reads on APA (see page 2, lines 7-10).

As per claim 4: the procedure wherein verification of subscriber authenticity is via an authentication request reads on APA (page 2, lines 10-13).

As per claim 5: the procedure, wherein verification of the subscriber's equipment identity code is via a check of a subscriber's international mobile station identity code reads on APA (see page 2, lines 13-18).

As per claim 8: the procedure wherein said checking functions comprise:
changing a subscriber identity code reads on APA(see page 2, lines 7-10).
verification of a subscriber's equipment identity code reads on APA (see page 2, lines 13-18).

As per claim 9: the procedure wherein the subscriber identity code is via an allocation of a temporary subscriber identity code reads on APA (see page 2, lines 7-10).

As per claim 10: the procedure wherein verification of the subscriber's equipment identity code is via a check of a subscriber's international mobile station equipment identity code reads on APA (see page 13-18).

Response to Arguments

Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Remarks: (1) the feature "after ring-back tone" does not have clear support in the specification. For examination purposes, the meaning for this feature is same as "voice mode", as clearly defined in the specification (see page 3, lines 12-14).

(2) examiner realizes that the (6,314,292 B1) reference had been used in the first action rejection and withdrawn in the second action rejection. But, a more closer look at the reference gave examiner a more clearer understanding of it as it relates to the claims in the instant application. Particularly, call setup in a voice/data channel in the indicated prior art is not different from the call setup in a "voice mode" of the current claims. Furthermore, checking functions, in the present context, is other way of saying call setup. So, the indicated previous reference has been reinstated and examiner regrets for the back and forth situation created.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Meless Zewdu

M. Z.

Examiner

14 May 2004



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
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